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PROCESS OF NUCLEAR DISARMAMENT IN THE FRAMEWORK OF INTERNATIONAL PEACE AND SECURITY, WITH THE OBJECTIVE OF THE ELIMINATION OF NUCLEAR WEAPONS

Working paper submitted by Portugal on behalf of the European Community and its member States

Following the structure of work proposed by the Chairman of Working Group II during the 1991 session of the Disarmament Commission and confirmed at the present session, the European Community and its member States wish to recall their common positions on the issue under consideration.

We are a community characterized by its diversity, comprising both nuclear and non-nuclear-weapon States, members and a non-member of a military alliance, members and non-members of a military organization. We have nevertheless taken a common stand on many aspects of the question of nuclear disarmament. We hope that our common views, which are reflected in the present working paper, will serve as a useful basis for further discussions in the Working Group.

A. The relationship between the process of nuclear disarmament and international peace and security

1. Peace and security can be achieved only through full observance of the Principles set out in the Charter of the United Nations and of other relevant international obligations under international law. The maintenance and enhancement of international security depends on responsible behaviour in relations between States. Such behaviour should strictly abide by the provisions contained in Article 2, paragraph 4, of the Charter, prohibiting

the threat or use of force, as well as other relevant obligations. However, the responsible conduct of international affairs by States aimed at the maintenance of international and national security requires more than just refraining from aggression. States should also demonstrate respect for international peace and security by engaging in measures of arms control, arms reduction and confidence-building.

2. In the field of arms control and disarmament, nuclear disarmament remains one of our highest priorities. Since the process of disarmament affects the vital security interests of all States, all must be actively involved and contribute to measures of disarmament and arms limitation. It is a matter of necessity for all to make progress in this field.

3. Nuclear proliferation is one of the greatest threats to worldwide security and stability. The existence of large arsenals of nuclear weapons and the danger of further proliferation of nuclear weapons affect the security of all States. Thus, nuclear disarmament and the questions of non-proliferation of nuclear arms, particularly following the political changes of the last 12 months, represent one of the most serious challenges, requiring continuous attention and commitment of all States Members of the United Nations.

B. Review of the steps taken in the process of nuclear disarmament

1. The satisfactory implementation of the INF Treaty which achieved in 1991 the elimination of a whole class of nuclear weapons is an important factor of increased stability.

2. We appreciate the progress that was made in 1991 in the area of nuclear disarmament, notably the START Treaty and the subsequent initiatives of Presidents Bush and Yeltsin. We also welcome the recent progress made by the United States and the Russian Federation towards further reductions in their nuclear arsenals and encourage their efforts in this direction.

3. We welcome in particular the unilateral decisions taken by the United States of America and the former Union of Soviet Socialist Republics to eliminate all land-based, short-range nuclear weapons and hope that the implementation of these measures will take place in the best possible conditions of security and transparency. We hope that these initiatives will lead to further far-reaching steps in order to enhance security and stability at the lowest possible levels of forces.

4. Negotiations on defence and space issues, including the relationship between means of strategic offence and defence, have taken place between the United States of America and the former Union of Soviet Socialist Republics. We stroingly support the continuation of these negotiations. We recognize the significant contribution made by the ABM Treaty in maintaining strategic stability.

5. The two nuclear Powers which are members of the European Community have also made a meaningful contribution to the process of nuclear disarmament by making reductions in some of their nuclear-weapon programmes.

6. We welcome recent initiatives in the denuclearization of Africa, in particular the accession of South Africa to the Non-Proliferation Treaty (NPT) and the safeguards agreement negotiated and signed with the International Atomic Energy Agency (IAEA), as well as the moves towards the implementation of the Declaration on the Denuclearization of Africa adopted by the Council of Ministers of the Organization of African Unity at its fifty-fourth ordinary session, held in Abuja in May-June 1991.

7. The European Community and its member States welcome major and positive initiatives in Latin America such as the Mendoza Declaration, the Cartagena Declaration, commitments entered into by Argentina and Brazil establishing full-scope safeguards regimes with IAEA, and the French decision to ratify Additional Protocol I of the Tlatelolco Treaty.

8. With regard to the Korean peninsula, we welcome the ratification of the safeguards agreement with IAEA by the Democratic People's Republic of Korea and look forward to an early implementation of the agreement to allow IAEA to carry out fully its responsibilities. We also encourage further development in the bilateral arrangements between the Democratic People's Republic of Korea and the Republic of Korea regarding mutual inspections.

C. Strengthening the process of nuclear disarmament, necessary conditions, and mechanisms required for it

1. While the primary responsibility for nuclear disarmament rests with those States which possess the most important arsenals, the international community as a whole must be actively involved and contribute to measures of nuclear disarmament and arms limitations. Our common wish is to see the achievement of further substantial reductions in the global level of nuclear weapons.

2. The creation of nuclear-weapon-free zones can contribute to stability in the regions concerned, to non-proliferation and to the disarmament process in general, provided all States concerned are prepared to cooperate on the basis of freely concluded agreements and in conformity with internationally agreed principles.

3. We support efforts to make progress in disarmament in the Middle East. To this end we call on all States in the region to adhere to the NPT and to place all of their nuclear facilities under IAEA safeguards. In this context, we recall our support for the initiative of President Mubarak to make the Middle East a zone free of weapons of mass destruction.

The International Peace Conference on the Middle East offers interested parties the possibilities of a direct dialogue, which is also an appropriate manner of furthering disarmament in the Middle East. We reiterate our commitment to play a constructive and active role in those multilateral negotiations, including in working groups of a political nature, such as "Arms control and regional security". Indeed the stability and security of that region are essential to Europe's own stability and security.

4. As far as nuclear testing is concerned, there have been a number of significant developments in recent years:

- A decrease in the total number of nuclear explosions and in their yield;

- The protocols of the Threshold Test Ban and the Peaceful Nuclear Explosions Treaty, signed by the United States and the Soviet Union in June 1990 and since ratified;

- The decision by the then Soviet Union to apply a one-year moratorium on nuclear testing;

- The decision by France to suspend its nuclear testing for 1992;

- The policy of the United Kingdom and the United States to test at minimum levels only.

Taking into account these developments and the widespread interest expressed in a comprehensive ban on nuclear testing, as well as the different views on the best way of achieving it and on its conclusion, we believe that the issue of the banning of nuclear testing should continue to be actively addressed.

5. We reaffirm our commitment to nuclear non-proliferation in general, and the NPT in particular as a cornerstone of the international regime of nuclear non-proliferation. We welcome the accession of more States to the NPT. With the accessions of France and China, all the permanent members of the Security Council will have underwritten the NPT, thus further strengthening the Treaty's universality. We urge again all States that have not yet done so to adhere to the NPT.

When we recognized and established relations with the new States of the former Soviet Union, an important requirement was that they should accede to the NPT as non-nuclear-weapon States. We consider it essential that all new States of the former Soviet Union uphold their commitments. We reiterate the importance we attach to single control of nuclear weapons and to the effective control of nuclear exports from these Republics.

We are confident that, in parallel with wider adherence to the NPT, a better functioning of the present nuclear non-proliferation regime can be brought about. Thus, in view of recent events, we look forward to a reinforcement of the various elements of that regime and, in particular, to a further strengthening and improvement of safeguards implementation, as well as of nuclear export controls. In this regard, we recall that the European Community and its member States proposed a set of concrete measures to this end at the last General Conference of IAEA.

We are pleased that some progress was made at the recent IAEA Board of Governors meeting towards strengthening the Agency's safeguards systems. We hope that the efforts of the Director General in this regard will be supported by all States.

We welcome the establishment of a Science and Technology Centre in the Russian Federation which will contribute both to disarmament and to non-proliferation objectives. We have already made clear the we will extend substantial support to the Centre and we look forward to cooperating with the other States involved to assure its success.

D. The role of the United Nations system in the process of nuclear disarmament with the objective of the elimination of nuclear weapons

1. In our view, the role of the United Nations in nuclear disarmament should be to continue to encourage and facilitate:

- The discussion of ways and means of achieving the international community's objectives in nuclear disarmament;

- The consideration of general guidelines and basic principles of arms control and disarmament;

- Support for existing arms control agreements and, where appropriate, for the negotiation of international instruments in the field of nuclear disarmament.

2. For a considerable time, nuclear disarmament has been one of the priority topics on the agenda of the Disarmament Commission. The need for progress in this field requires that continued proper attention be paid to such issues which deserve a continued discussion in the Disarmament Commission.

3. We believe that the important issue of nuclear testing should continue to be addressed in a multilateral context. We note the re-establishment in 1991 by the Conference on Disarmament of its Ad Hoc Committee on a Nuclear Test Ban. We believe that this organ should continue its consideration of this issue.

4. We regard the studies conducted by the United Nations as very useful and instrumental to the more advanced consideration of various aspects of disarmament and to the achievement of a greater general awareness of the subject. In this connection, we welcome the outcome of the studies and recommendations on the role of the United Nations in the field of verification and on nuclear weapons which were concluded by documents approved by consensus.